IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1205 OF 2007

Shri.Anil @ Michael Daniel Kshirsagar ..Applicant.

Versus

The State of Maharashtra
and Anr. ...Respondents.

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Mr.Nitin Jamdar, Adv. for the Applicant.
Mr.K.V.Saste, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 16th April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking bail in C.R.No.346 of 2006 of Loni Kalbhor Police Station, District - Pune. The said case is under Section 302 of IPC.

3. The material on record shows that the deceased had teased the daughter of the applicant prior to the incident. Thereafter, on the date of the incident, deceased had come to the house of the applicant in a drunken condition and again teased the daughter of the applicant. On account of this, the applicant picked-up a wooden log

which was kept in the house of the applicant and assaulted the deceased. On account of the said assault, deceased died after about ten days of the incident.

4. Looking to the facts of this case, *prima facie*, I am of the opinion that this case would not fall under section 302 of IPC. Hence, I am inclined to grant bail to the applicant.

5. The applicant - Anil @ Michael Daniel Kshirsagar to be released on bail in the sum of Rs.10,000/- with one or two sureties to make up the said amount. The applicant shall report to Loni Kalbhor Police Station, District - Pune once in a fortnight, till conclusion of the trial.

6. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)